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SENATE BILL 1185

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

NANCY E. RODRIGUEZ

AN ACT

RELATING TO TAXATION; CHANGING THE TIME LIMITS THAT APPLY TO
ACTIONS FOR COLLECTION OF DELINQUENT PERSONAL PROPERTY TAXES AND
PRESUMPTION OF PAYMENT OF DELINQUENT PERSONAL PROPERTY TAXES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-38-81 NMSA 1978 (being Laws 1973,
Chapter 258, Section 121) is amended to read:

"7-38-81. LIMITATION ON ACTIONS FOR COLLECTION OF PROPERTY
TAXES--PRESUMPTION OF PAYMENT [~~OF PROPERTY TAXES AFTER TEN~~
~~YEARS~~]. --

A. Property may not be sold and proceedings may not
be initiated for the collection of:

(1) property taxes on real property that have
been delinquent for more than ten years; or

(2) property taxes on personal property that

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1 have been delinquent for more than three years.

2 B. Property that has not been included on a property
3 tax schedule may not be subjected to the imposition of property
4 taxes:

5 (1) in the case of real property, for more than
6 ten tax years immediately preceding the date of its entry on the
7 property tax schedule; and

8 (2) in the case of personal property, for more
9 than three tax years immediately preceding the date of its entry
10 on the property tax schedule.

11 C. Property taxes on real property that have been
12 delinquent for more than ten years, together with any penalties
13 and interest, are presumed to have been paid. Property taxes on
14 personal property that have been delinquent for more than three
15 years, together with any penalties and interest, are presumed to
16 have been paid. The county treasurer shall indicate on the
17 property tax schedule that all such property taxes and any
18 penalties and interest have been "presumed paid by act of the
19 legislature". "